

HOUSE BILL 2173  
By Turner M

AN ACT to amend Tennessee Code Annotated, Title 4; Title 5; Title 6; Title 7; Title 8; Title 33; Title 63; Title 68 and Title 71, relative to the importation of prescription drugs from foreign nations.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. The governor, and the state insurance committee, shall, by July 1, 2004, submit a proposal to the Federal food and drug administration requesting approval for the importation of prescription drugs from Canada. The proposal shall, at a minimum:

- (1) Apply to public employees enrolled in the group insurance plan for state officials and employees, or any group insurance plan authorized pursuant to title 8, chapter 27 electing to participate in the program;
- (2) Establish protections to ensure only quality prescription drugs are imported, including requirements that drugs supplied by Canadian pharmacists come in their original packaging with the limitation that such drugs be made in the United States; and
- (3) Include any other requirements deemed appropriate by the governor and the state insurance committee.

SECTION 2. The governor shall, by July 1, 2004, submit a proposal to the Federal food and drug administration and the United States secretary of health and human services requesting approval for the importation of prescription drugs from Canada for the TennCare program. The proposal shall, at a minimum establish protections to ensure only quality prescription drugs are imported, including requirements that drugs supplied by Canadian pharmacists come in their original packaging with the limitation that such drugs be made in the United States. Such proposal may include any other requirements deemed appropriate by the governor.

SECTION 3. The governor shall, by July 1, 2004, submit a proposal to the Federal food and drug administration requesting approval for the importation of prescription drugs from Canada by pharmacy benefit managers of managed health insurance issuers as this term is defined in §56-32-228(a) or health insurance issuers as this term is defined in §56-7-2802(16). The proposal shall, at a minimum establish protections to ensure only quality prescription drugs are imported, including requirements that drugs supplied by Canadian pharmacists come in their original packaging with the limitation that such drugs be made in the United States. Such proposal may include any other requirements deemed appropriate by the governor.

SECTION 4. This act shall take effect upon becoming a law, the public welfare requiring it.